



AN ORDINANCE BY:

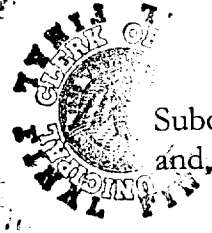
COUNCIL MEMBERS CLETA WINSLOW AND CARLA SMITH

AS AMENDED BY COMMUNITY DEVELOPMENT & HUMAN RESOURCES COMMITTEE

A ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACTUAL AGREEMENT WITH THE ATLANTA NEIGHBORHOOD DEVELOPMENT PARTNERSHIP, INC. (ANDP) TO PROVIDE TEMPORARY MANAGEMENT SERVICES TO THE ATLANTA RENEWAL COMMUNITY CORA, INC., A GEORGIA NONPROFIT CORPORATION ESTABLISHED TO SERVE AS THE CITY OF ATLANTA'S RENEWAL COMMUNITY'S COORDINATING RESPONSIBLE AUTHORITY AND AS ADMINISTRATOR OF THE CITY OF ATLANTA'S REMAINING TITLE XX FUNDS; RATIFYING THE ENGAGEMENT OF ANDP FOR THE TRANSITION OF AUTHORITY FROM THE ATLANTA EMPOWERMENT ZONE CORPORATION (AEZC) TO ACORA; ACCEPTING THE *QUANTUM MERUIT* VALUE OF ANDP'S COMMUNITY COORDINATION AND ECONOMIC DEVELOPMENT SERVICES BY AUTHORIZING PAYMENT TO ANDP IN AN AMOUNT NOT TO EXCEED \$426,618.99 TO BE CHARGED TO AND PAID FROM FAC 1AO1 724001 Y11001 [CONSULTANT AND PROFESSIONAL SERVICES]; AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FUNDS TO THE CITY BY ACORA IN THE EVENT SUCH DISBURSEMENT IS APPROVED BY THE U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES; WAIVING CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, in 1994, the City of Atlanta (the "City") was one of six jurisdictions federally designated as a Round One Urban Empowerment Zone ("EZ") and was awarded one hundred million dollars (\$100,000,000.00) in Social Service Block Grant funds ("Title XX Funds"); and,

WHEREAS, on January 1, 2002, the City was one of forty jurisdictions federally designated as a Renewal Community ("RC") pursuant to Title 26, Subtitle A, Chapter 1,



Subchapter X, Part I, Section 1400E-J, *et. seq.* of the United States Code (the "RC Statute"); and,

WHEREAS, as a result of the City being designated an RC pursuant to the federal RC Statute, the City's designation as an EZ ceased; however there were Title XX left unexpended; and

WHEREAS, notwithstanding the City's cessation as an EZ and its designation as an RC, the U.S. Department of Health and Human Services ("HHS"), Administration for Children and Families' Office of Community Service ("OCS") has given the city the opportunity to continue to expend the remaining Title XX Funds; and

WHEREAS, the City Council adopted and the Mayor approved Resolution 03-R-9319, dated March 3, 2003, authorizing the Mayor to terminate the Cooperative Endeavor Agreement between the City and the Atlanta Empowerment Zone Corporation (AEZC); and,

WHEREAS, in conjunction with the expenditure of the remaining Title XX Funds, the City's designation as an RC provides the City with the additional opportunity to market tax incentives to attract both housing and commercial developers to the City's designated EZ and RC neighborhoods; and,

WHEREAS, the RC Statute requires all RC designees to elect a coordinating responsible authority ("**CoRA**") to develop, submit and implement a strategic plan or course of action which meets the requirements of the RC Statute, and to ensure (i) that all City and the State of Georgia (the "State") commitments made in the application for a RC designation are implemented, (ii) that the tax incentives available to the RC designee are marketed to those entities that can best use them, (iii) that economic development occurs in the RC designated areas, and (iv) that all requirements of the RC Statute are met; and,

WHEREAS, pursuant to the RC Statute, the City designated itself as the City's RC CoRA; and,

WHEREAS, the City intends to assign Corporation the responsibilities of administering the CoRA and the expenditure of the remaining Title XX Funds to the Atlanta Renewal Community CoRA ("ACoRA"), an independent nonprofit Georgia corporation (the "corporation"); and,

WHEREAS, the Atlanta Neighborhood Development Partnership, Inc. ("ANDP") has core competencies in the areas of community economic development, community development corporation ("CDC") grant making, real estate development, real estate lending, technical assistance, and training;



WHEREAS, the City Council adopted and the Mayor approved Resolution 03-R-0766, dated June 16, 2003, authorizing the Mayor to enter into a contract to incorporate a non-profit corporation to serve as the Coordinating Responsible Authority (ACoRA) that will administer Atlanta's RC Program, as well as a Cooperative Endeavor Agreement to authorize the ACoRA to administer the remaining Title XX Funds; and

WHEREAS, Atlanta's EZ Program was terminated, and effective April 29, 2004, and the AEZ Corporation has been dissolved in accordance with Georgia Law; and

WHEREAS, from October 1, 2003 through June 30, 2004, ANDP has provided certain integral services assisting in the smooth transition of activities between the EZ and RC; causing the dissolution of the EZ Corporation in accordance with Georgia Law; developing an Integrated Strategic Plan (ISP) which meets the requirements of HHS federal guidance dated September 30, 2003 (Information Memorandum No. 3); conducting significant community outreach and as well as other valuable and time-driven professional economic and community development services.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

SECTION 1: That the Mayor is authorized to execute an agreement with ANDP accepting the critical and time driven services rendered on behalf of the City of Atlanta, the EZ and the RC from October 1, 2003 through June 30, 2004, including but not limited to the following: assisting in the smooth transition of activities between the EZ and RC; causing the dissolution of the EZ Corporation in accordance with Georgia Law; developing an Integrated Strategic Plan (ISP) which meets the requirements of HHS federal guidance dated September 30, 2003 (Information Memorandum No. 3); conducting significant community outreach and as well as other valuable and time-driven professional economic and community development services.

SECTION 2: That the Atlanta City Council accepts and ratifies the good and valuable services rendered on behalf of the City of Atlanta by ANDP as described in Section One, said services valued, in *quantum meruit*, at \$426,618.00.

SECTION 3: That the Chief Financial Officer is authorized to remit compensation to ANDP in an amount not to exceed \$426,618.99, to be charged to and paid from **FAC 1A01 724001 Y11001** [General Fund - Consultant and Professional Services].

SECTION 4: That the Chief Financial Officer is authorized to accept reimbursement from the ACoRA or ANDP in an amount not to exceed \$426,618.99, to be deposited into **FAC 1A01 724001 Y11001** [General Fund - Consultant and Professional Services], provided

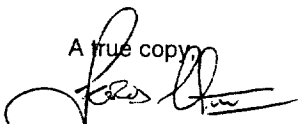


such expenditure is authorized by HHS' OCS and/or the Georgia Department of Community Affairs.

SECTION 5 : That an amount not to exceed \$426,618.99, for ANDP's Community Coordination and Economics Development Services shall be reduced from the Amended Governance Budget which, according to Resolution 03-R-0766, shall not exceed 5 million dollars.

SECTION 6: That prior to the Chief Financial Officer's approval of any disbursement request to ANDP, the Mayor shall provide the Atlanta Municipal Clerk with copies of all correspondence to or from HHS or DCA relative to the approval or disapproval of disbursement requests associated with the services rendered by ANDP. Further, after the disbursement to ANDP as authorized by this ordinance, the Mayor shall provide the Municipal Clerk with copies of all documents to or from HHS or DCA relative to the approval or disapproval of disbursement requests associated with the services rendered by ANDP. The Municipal Clerk shall notify the Council that said documents are on file for councilmembers' review.

SECTION 7: That all ordinances or parts of ordinances in conflict herewith are hereby rescinded.

A true copy

Deputy Clerk

ADOPTED as amended by Council
APPROVED by the Mayor

June 21, 2004
June 23, 2004

RCS# 5817
6/21/04
3:30 PM

Atlanta City Council

Regular Session

04-O-1104 AGRMNT W/ATLANTA NEIGHBORHOOD DEVELOPMNT
PARTNERSHIP, INC
ADOPT AS AMEND

YEAS: 12
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	N Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	N Moore	B Mosley	Y Willis

04-O-1104

#128

(Do Not Write Above This Line)

AN ORDINANCE
BY: *Walter H. ...*

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONTRACTUAL AGREEMENT WITH THE ATLANTA NEIGHBORHOOD DEVELOPMENT PARTNERSHIP, INC. (ADNP) TO PROVIDE TEMPORARY MANAGEMENT SERVICES TO THE ATLANTA RENEWAL COMMUNITY CORP., INC., A GEORGIA NON-PROFIT CORPORATION ESTABLISHED TO SERVE AS THE CITY OF ATLANTA'S RENEWAL COMMUNITY'S COORDINATING RESPONSIBLE AUTHORITY AND AS ADMINISTRATOR OF THE CITY OF ATLANTA'S REMAINING TITLE XX FUNDS, RATIFYING THE ENGAGEMENT OF ADNP FOR THE TRANSITION OF AUTHORITY FROM THE ATLANTA EMPOWERMENT ZONE CORPORATION (AEZC) TO ACORA; ACCEPTING THE QUANTUM MERUIT VALUE OF ADNP'S COMMUNITY COORDINATION AND ECONOMIC DEVELOPMENT SERVICES BY AUTHORIZING PAYMENT TO ADNP IN AN AMOUNT NOT TO EXCEED \$426,618.99 TO BE CHARGED TO AND PAID FROM FAC 1A01 724001 Y11001 (CONSULTANT AND PROFESSIONAL SERVICES); AUTHORIZING THE ACCEPTANCE OF REIMBURSEMENT FUNDS TO THE CITY BY ACORA IN THE EVENT SUCH DISBURSEMENT OF HEALTH & HUMAN SERVICES; WAIVING CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

As Amended

ADOPTED BY

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER JUN 21 2004
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 06/07/04
Referred To: *CD/HR*
Date Referred
Referred To:
Date Referred
Referred To:
Referred To:
Referred To:

Committee _____
Date _____
Chair _____
Referred To _____

Committee *CD/HR*
Date *6/10/04*
Chair *[Signature]*
Action *[Signature]*
Fav, Adv, Hold (see rev. side)
Other *no record*
Members *[Signature]*
[Signature]
[Signature]
Refer To _____

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
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Committee _____
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Chair _____
Action _____
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JUN 21 2004
ACTING COUNCIL PRESIDENT PROTEM

Removed from calendar
by *Mozie 6-21-04*

CERTIFIED
JUN 21 2004

Ronald D. ...
MUNICIPAL CLERK

APPROVED
JUN 23 2004
[Signature]